



February 1, 2002

VIA ELECTRONIC FILING

William F. Caton, Acting Secretary
Federal Communications Commission
Office of the Secretary
445-12th Street, SW
Washington, D.C. 20554

**Re: CC Docket No. 01-347 (Application by Verizon New Jersey, Inc. for
Authorization to Provide In-region, InterLATA Services in the State
of New Jersey)**

Dear Mr. Canton:

Manhattan Telecommunications Corporation d/b/a Metropolitan Telecommunications
a/k/a MetTel ("MetTel") submits this letter in lieu of reply comments in the above referenced
proceeding.

As MetTel described in detail in the comments filed on January 14, 2002 in this
proceeding, Verizon's Operation Support System (OSS) in New Jersey is not functioning
properly.¹ MetTel presented data to support its position that information produced by this system
is false for a significant percentage of operations. Although Verizon has presented "alternative

¹ CC Docket No. 01-347 – Comments of Metropolitan Telecommunications, dated: January 14, 2002.

explanations” for the results observed and documented by MetTel², to date, Verizon has not produced concrete evidence in support of its assertions.

The OSS is a cornerstone system and is vital for the development of successful competition. For this reason, it is critical that the system function properly and produce *accurate* information in a *timely* manner. Verizon’s systems are currently not meeting these requirements.

Further compounding this problem is Verizon’s poor level of response to missing notifier Trouble Tickets (also described in MetTel’s comments in this proceeding³). MetTel has provided data in support of its position that flaws in Verizon’s systems cause it to fail to respond properly to Trouble Tickets, often when the necessary information is, in fact, available. Verizon has again failed to properly address this problem which indicates a system deficiency. Instead, it has made unsupported assertions intended to cast doubt on MetTel’s record-keeping skills, which MetTel has refuted.

Despite the fact that MetTel has repeatedly brought both issues to Verizon’s attention in a number of proceedings and forums, Verizon has not made serious attempts to honestly address these issues. Consequently, both issues remain unresolved as the underlying, industry-affecting, system problems have not been examined or repaired. If, despite these serious problems in a vital operations system, the number of competitive lines in New Jersey does increase, the problems identified and documented by MetTel will affect an increased number of end-users. For this reason, the time to seriously examine the OSS and resolve systemic problems is prior to the granting of 271 authority. There is simply not sufficient motivation following the granting of 271 authority for Verizon to adequately address these problems. This truth has been

² Before the New Jersey Board of Public Utilities, DOCKET NO. TO01090541, *Verizon NJ Reply Declaration in Response to Metropolitan Telecommunications*.

³ CC Docket No. 01-347 – Comments of Metropolitan Telecommunications, pages 14-15.

demonstrated by Verizon's failure to resolve these problems in states where 271 authority has been granted.

MetTel has provided auditable data to Verizon and the New Jersey Board of Public Utilities ("BPU") in support of all of its claims of system problems. Verizon, on the other hand, has not been able to provide clear and valid proof to refute MetTel's claims. Given the vastness of Verizon's resources, if MetTel's analyses or conclusions had been wrong, Verizon would have been able to demonstrate this. It has not done so.

The BPU has failed to insist that Verizon provide information to support its assertions in time to be considered and included in the BPU's consultative report to the FCC. (Nor has Verizon provided such information following the report's filing). Consequently, the Consultative Report of the New Jersey BPU in this proceeding is based on incomplete information and regrettably relies heavily on Verizon's unsupported assertions.

Furthermore, the BPU has clearly failed to appreciate the significance of some of MetTel's central claims. Most importantly, it is apparent that the BPU misinterpreted the information regarding missing and misdirected usage which MetTel presented. MetTel has employed the methodology of using usage to test the accuracy of completion notifiers transmitted by Verizon's OSS. As a result of its analysis, MetTel concluded that a significant percentage of these completion notifiers are false.⁴

MetTel has not claimed that this is a problem of missing usage records and therefore points to a deficiency in the Daily Usage Feeds (DUF). Instead, it is MetTel's position that missing, delayed and misdirected usage demonstrates a serious problem with the accuracy of Verizon's notifiers and calls the precision and truthfulness of Verizon's systems and processes

⁴ Ibid. pages 8-14.

into question. The fact that the BPU, in its Consultative Report, classifies the issues raised by MetTel's usage analysis as a "billing" matter⁵, demonstrates that the Board failed to appreciate the actual significance of MetTel's claims.

With respect to Trouble Tickets, the BPU's report states "MetTel has not shown why we should conclude that 3 days is the reasonable commercial standard for resolving trouble tickets"⁶. However, the problems presented by MetTel regarding Trouble Tickets are far more serious than Verizon's failure to provide adequate responses to Trouble Tickets within three business days. The core of the issue is that although necessary information is frequently available somewhere within Verizon's internal systems at the time of the request, these systems are unable to transmit this information to the CLECs. Furthermore, far from claiming that Verizon merely fails to meet a three-business-day standard in its response to trouble tickets, MetTel has demonstrated that a significant percentage of Trouble Ticket PONs take can take over a month to resolve and that many remain unresolved.⁷ This is clearly not a commercially reasonable manner in which to deal with customer-affecting troubles. This poor level of service seriously hampers effective competition.

The BPU's Report states on several occasions that MetTel is the only carrier to raise a particular issue.⁸ This argument has been repeatedly used by Verizon to dismiss MetTel's claims. This approach is logically faulty and has negative consequences for the industry. MetTel has built an excellent database which captures and integrates a great deal of information. This has allowed MetTel to perform the analyses on which its assertions are based. The fact that

⁵ Docket No. TO01090541 and CC Docket No. 01-347 CONSULTATIVE REPORT OF THE NEW JERSEY BOARD OF PUBLIC UTILITIES. Page 35.

⁶ Ibid. p. 42

⁷ See attachment A

⁸ Docket No. TO01090541 and CC Docket No. 01-347 CONSULTATIVE REPORT OF THE NEW JERSEY BOARD OF PUBLIC UTILITIES. Pages 34, 41.

other CLECs have not had the opportunity or resources or systems to perform such analyses in no way impacts the veracity of MetTel's claims nor does it make the problems identified by MetTel to be specific to MetTel. System deficiencies identified through MetTel's analysis impact the entire CLEC industry. MetTel should not be penalized or dismissed for its diligence and resourcefulness. Regulatory agencies are invited to examine MetTel's systems and methods.

It is critical that serious attention be paid to the OSS problems in New Jersey. Only a sober and honest reexamination of these systems can begin the process of resolving the problems and repairing the deficiencies. This process must take place prior to Verizon's being granted 271 authority in New Jersey. At the present time, Verizon has not met the requirements of the Telecommunications Act of 1996 with respect to the service it provides to CLECs via its OSS. MetTel therefore respectfully urges the Commission to find that Verizon's 271 petition is premature and that it cannot be granted at the present time.

Respectfully Submitted,

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